GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri S.Sukesh, Assistant Commissioner (Retired) involved in the liquor syndicate case of West Godavari District – Implemented the orders dated 09.11.2020 in W.P.No.20812 of 2019 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 27.03.2023 in W.P.No.7531 of 2023 filed by Sri S.Sukesh, Assistant Commissioner (Retired) for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.763 **Dated:17.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.60/RCO-EWG/2012, Dated:12-11-2012
2. Govt. Memo.No.51870/VIG.V(2)/2012-1, dated:15-01-2013
3. Orders dated 09.11.2020 of Hon'ble High Court in W.P.No.20812 of 2019 filed by Sri S.Sukesh, Assistant Commissioner(Retired)
4. G.O.Rt.No.464, Revenue(Vig.I) Dept, dated:27.06.2022
5. Orders dated:27.03.2023 of Hon'ble High Court in W.P.No.7531 of 2023 filed bySri S.Sukesh, Assistant Commissioner(Retired)
6. Representation dated:20.04.2023 from Sri S.Sukesh, Assistant Commissioner(Retired), Srikakulam District
7. Letter.Cr.No.302/2021/CPE/C4, dated: 27.04.2023 from the Commissioner of Proh.& Excise Dept, AP, Vijayawada.

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ORDER:

Whereas Sri S.Sukesh, Assistant Commissioner (Retired), while in service was involved in the Liquor Syndicate case of West Godavari District along with other Prohibition and Excise officials and recommended to place on his before COI by DG, ACB. After following due procedure, Government entrusted his case to COI along with other P&E officials. Further, Government framed AoCs against him vide G.O.Rt.No.864 Rev (VIG.V) Dept., dt.13.06.2013 along with others. Sri S.Sukesh, Assistant Commissioner (Retired) was filed W.P.No.20812/2019 before the Hon'ble High Court for not concluding the long pending disciplinary Charges issued against him. The Hon'ble High Court has passed orders dated: 09.11.2020 directed the respondents to complete the disciplinary enquiry pending against the petitioner within three (3) months from the date of receipt of a copy of this order. He was retired from service on 31.01.2021.

2. Whereas, in the reference 4th read above, the Government issued orders for implemented the orders of Hon'ble High Court and sanctioned pensionery benefits to Sri S.Sukesh, Assistant Commissioner (Retired).

3. Whereas in the reference 5th read above, Sri S.Sukesh, Assistant Commissioner (Retired) has filed W.P.No.7531 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

4. And whereas, the Hon'ble High Court in its order dated 27.03.2023 in W.P.No.7531 of 2023 has passed orders directing the respondent to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

(PTO)

5. And whereas in the reference 7th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri S.Sukesh, Assistant Commissioner (Retired)., has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

6. Government after careful examination of the matter, and keeping in view of the orders dated 27.03.2023 in W.P.No.7531 of 2023 filed by Sri S.Sukesh, Assistant Commissioner (Retired), have decided to implement the orders of Hon'ble High Court dated 27.03.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri S.Sukesh, Assistant Commissioner (Retired).

7. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri S.Sukesh, Assistant Commissioner (Retired).

8. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

9. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated:30.06.2023.

Dr. RAJAT BHARAGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Sukesh, Assistant Commissioner(Retired), through the Commissioner of Prohibition and Excise Department, AP, Vijayawada.
The Commissioner of Prohibition and Excise Department, AP, Vijayawada

Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER